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June 28, 2022

VIA E-MAIL

Ms. Alice Yeh
Remedial Project Manager
Diamond Alkali Superfund Site, Operable Unit 2
Superfund and Emergency Management Division
U.S. Environmental Protection Agency, Region 2
290 Broadway
New York, New York 10007

Ms. Diane Salkie
Remedial Project Manager
Diamond Alkali Superfund Site, Operable Unit 4
Superfund and Emergency Management Division
U.S. Environmental Protection Agency, Region 2
290 Broadway
New York, New York 10007

Re: *Diamond Alkali Superfund Site, New Jersey – Good Faith Offer*

Dear Ms. Yeh and Ms. Salkie:

Please accept this letter on behalf of the Passaic Valley Sewerage Commission (“PVSC”), with support by the City of Newark, the Borough of East Newark, the Town of Harrison and the Town of Kearny (collectively “Municipalities”). This letter presents by the date requested in US EPA’s May 31, 2022 letter (“May Letter”) the joint response of PVSC and the Municipalities to US EPA’s March 2, 2022 notice letter (“Notice Letter”),

Exemption (b)(7)(A)

. As such, this letter is a confidential settlement communication, which is not admissible under the Federal Rules of Evidence and which is exempt from disclosure in response to a request made under the Freedom of Information Act.

PVSC Organization

First organized by gubernatorial order in 1897, PVSC was permanently established by a New Jersey Statute in 1902, and since 1924, has operated wastewater conveyance and treatment facilities to alleviate pollution in the Passaic River and its tributaries. PVSC is one of the largest wastewater treatment plants in the United States. Its operations are funded locally by the 1.5 million residents in 48 municipalities within Bergen, Essex, Hudson, Union and Passaic Counties. These 48 municipalities comprise the Passaic Valley Service District (collectively “Constituent Members”). The Municipalities are among the Constituent Members.

Exemption (b)(7)(A)



Ms. Alice Yeh
Ms. Diane Salkie
June 28, 2022
Page 2

Exemption (b)(7)(A)



Ms. Alice Yeh
Ms. Diane Salkie
June 28, 2022
Page 3

Exemption (b)(7)(A)



Ms. Alice Yeh
Ms. Diane Salkie
June 28, 2022
Page 4

Exemption (b)(7)(A)



Ms. Alice Yeh
Ms. Diane Salkie
June 28, 2022
Page 5

Exemption (b)(7)(A)

Counsel For PVSC And The Municipalities

US EPA's Notice Letter requests the name and contact information for the counsel who will represent PVSC and the Municipalities in negotiations with US EPA regarding their joint good faith offer to resolve their alleged CERCLA Site liability. Please refer to the following counsel roster:

For PVSC, in addition to me:

Michael Witt
General Counsel
Passaic Valley Sewerage Commission
600 Wilson Avenue
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Kirstin Bohn
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Ms. Alice Yeh
Ms. Diane Salkie
June 28, 2022
Page 6

For the City of Newark:

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Angela G. Foster
First Assistant Corporation Counsel
City of Newark - Department of Law
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For the Borough of East Newark:

Michael A. Cifelli
Hardin Kundla McKeon & Poletto
673 Morris Avenue
Springfield, New Jersey 07081
973-912-5222
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For both the Town of Harrison and the Town of Kearny:

Michelle F. Spencer
Castano Quigley Cherami LLC
155 Passaic Avenue, Suite 340
Fairfield, NJ 07004
973-808-1234
MSpencer@cqclaw.com

Thank you for your attention to and consideration of these positions.

Exemption (b)(7)(A)

Sincerely,

DYKEMA GOSSETT PLLC

Grant P. Gilezan

cc: Juan M. Fajardo (fajardo.juan@epa.gov)
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